

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IPW

Applicant: Patrick Miles et al.  
Title: Surgical Access System and Related Methods

Docket No.: 80100.039US1  
Filed: January 16, 2004  
Examiner: Unknown



Serial No.: 10/759,811  
Due Date: N/A  
Group Art Unit: 3764

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

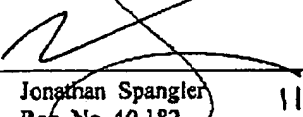
We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ An Information Disclosure Statement (2 pgs.), Form 1449 (4 pgs.), and copies of 18 cited documents.

If not provided for in a separate paper filed herewith, Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 50-2040.

CUSTOMER NUMBER: 30,328


By

  
Jonathan Spangler  
Reg. No. 40,182  
JS:mjm

11-4-04

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MEREDITH MESCHER  
Name

  
Signature

(GENERAL)

S/N 10/759,811



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Patrick Miles et al.	Examiner:	Unknown
Serial No.:	10/759,811	Group Art Unit:	3764
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Title:	Surgical Access System and Related Methods		

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**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 50-2040 in order to have this Information Disclosure Statement considered.

Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

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Serial No :10/759,811

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The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

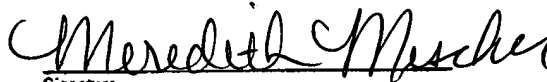
Respectfully submitted,

PATRICK MILES ET AL.

By their Representatives,

CUSTOMER NUMBER: 30,328  
858-527-1936Date 11-4-04By   
Jonathan Spangler  
Reg. No. 40,182

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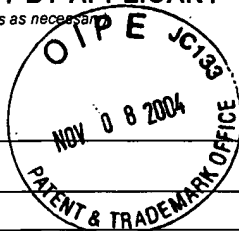
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/759,811
Filing Date	January 16, 2004
First Named Inventor	Miles, Patrick
Group Art Unit	3764
Examiner Name	Unknown

Sheet 1 of 4

Attorney Docket No: 80100.039US1

**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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**EXAMINER****DATE CONSIDERED**

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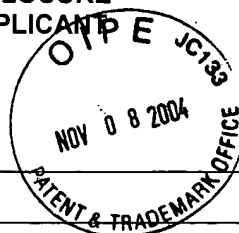
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Group Art Unit	3764
Examiner Name	Unknown

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Attorney Docket No: 80100.039US1

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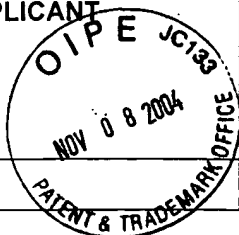
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Group Art Unit	3764
Examiner Name	Unknown

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Attorney Docket No: 80100.039US1

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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>2</sup>
	WO-0066217A1	11/09/2000	Epstein, R., et al.		

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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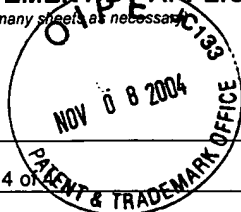
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Sheet 4 of

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<b>Application Number</b>	10/759,811
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<b>Examiner Name</b>	Unknown

Attorney Docket No: 80100.039US1

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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